

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY**

MARILYN DELAHOY, MARY  
DUNAHOE, FRANK TASTINGER,  
TERRY TIGHE, JOANNE  
MICCHANOWICZ, CORY  
HIGHTOWER, and ERIC BOSCH, on  
behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

SAMSUNG ELECTRONICS  
AMERICA, et al.,

Defendants.

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ROBERT A. MASON, on behalf of  
himself and all others similarly situated,

Plaintiffs,

v.

SAMSUNG ELECTRONICS  
AMERICA, et al.,

Defendants.

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KAYCE KLEEHAMER, on behalf of  
himself and all others similarly situated,

Plaintiffs,

v.

SAMSUNG ELECTRONICS

Case 2:22-cv-04132-CCC-CLW

Case 2:22-CV-06186-CCC-CLW

Case 2:22-cv-06312-CCC-CLW

AMERICA, et al.,

Defendants.

This matter comes before the Court on the parties' pending motions for appointment of interim lead counsel, ECF Nos. 25 and 27, and the Court's Order that the parties meet and confer in an effort to resolve the issues presented therein, ECF No. 43, and the parties' subsequent agreement as to the appointment of interim lead counsel, ECF No. 44. Accordingly, the Motions shall be terminated and STRICKEN from the record.

The Court ORDERS as follows:

**A. Appointments to Interim Counsel Leadership Structure.**

**i. Interim Co-Lead Class Counsel**

1. The Court appoints Zachary Arbitman, Marie N. Appel, and Gary M. Klinger as Interim Co-Lead Class Counsel for all Plaintiffs. Interim Co-Lead Class Counsel must assume responsibility for the following duties during all phases of this litigation:

a. Coordinating the work of preparing and presenting all of Plaintiffs' claims and otherwise coordinating all proceedings, including organizing and supervising the efforts of Plaintiffs' counsel in a manner to ensure that Plaintiffs'

pretrial preparation is conducted effectively, efficiently, expeditiously, and economically;

b. Delegating work responsibilities and monitoring the activities of all Plaintiffs' counsel in a manner to promote the orderly and efficient conduct of this litigation and to avoid unnecessary duplication and expense;

c. Calling meetings of Plaintiffs' counsel for any appropriate purpose, including coordinating responses to questions of other parties or of the Court, and initiating proposals, suggestions, schedules, and any other appropriate matters;

d. Determining (after consultation with other co-counsel as may be appropriate) and presenting (in briefs, oral argument, or such other fashion as they or their designee may deem appropriate) to the Court and opposing parties the position of the Plaintiffs on all matters arising during pretrial (and, if appropriate, trial) proceedings;

e. Serving as the primary contact for all communications between Plaintiffs and Defendants, and acting as spokespersons for all Plaintiffs vis-à-vis Defendants and the Court;

f. Directing and executing on behalf of Plaintiffs the filing of pleadings and other documents with the Court;

- g. Appear at all court hearings and conferences regarding the case as most appropriate for effective and efficient representation, and speaking for Plaintiffs at all such hearings and conferences;
- h. Receiving and initiating communication with the Court and the Clerk of the Court (including receiving orders, notices, correspondence, and telephone calls) and dispensing the content of such communications among Plaintiffs' counsel;
- i. Initiating and conducting discussions and negotiations with counsel for Defendant on all matters, including settlement;
- j. Negotiating and entering into stipulations with opposing counsel as necessary for the conduct of the litigation;
- k. Initiating, coordinating, and conducting all discovery on Plaintiffs' behalf and ensuring its efficiency;
- l. Selecting, consulting with, and employing experts for Plaintiffs, as necessary;
- m. Encouraging and enforcing efficiency among all Plaintiffs' counsel;
- n. Assessing Plaintiffs' counsel for the costs of the litigation;
- o. Preparing and distributing periodic status reports to the Court and

to the parties as ordered;

p. Developing and recommending for Court approval practices and procedures pertaining to attorneys' fees and expenses and, on an ongoing basis, monitoring and administering such procedures. At such time as may be appropriate, Co-Lead Counsel also will determine apportionment and allocation of fees and expenses subject to Court review of any disputes; and

q. Performing such other duties as are necessary in connection with the prosecution of this litigation or as may be further directed by the Court.

**B. Adjournment of Deadlines**

2. The parties shall meet and confer as to deadlines for the filing of an amended consolidated class action complaint and responses to that complaint and shall present a joint proposed pleading schedule to the Court for consideration;

**C. Application of this Order**

3. This Order applies to all actions included in the above-captioned consolidated matters and all subsequently consolidated actions; and

4. Interim Co-Lead Class Counsel must serve a copy of this Order and all future orders promptly by expeditious electronic means on counsel for Plaintiffs in each related action not yet consolidated in this proceeding to the extent that

Interim Class Counsel is aware of any such action(s) and on all attorneys for Plaintiffs whose cases have been so consolidated but who have not yet registered for ECF.

IT IS SO ORDERED:

DATED: 7/14/2023

s/ Claire C. Cecchi

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Claire C. Cecchi  
United States District Judge  
District of New Jersey